

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HYDRO INVESTORS, INC.,

Plaintiff,

-v-

6:05-CV-480

ARTHUR H. STECKLER and TRAFALGARPOWER
& HYDRO INVESTMENTS LIMITED PARTNERSHIP,

Defendants.

**U. S. DISTRICT COURT
N. D. OF N. Y.
FILED**

MAY 26 2005

APPEARANCES:

OF COUNSEL AT _____ O'CLOCK _____ M
**LAWRENCE K. BAERMAN, Clerk
UTICA**

WILLIAM R. MORGAN, ESQ.
Attorney for Plaintiff
721 University Building
120 East Washington Street
Syracuse, NY 13202

HANCOCK & ESTABROOK, LLP
Attorneys for Defendants
1500 MONY Tower I
Syracuse, NY 13221

DANIEL B. BERMAN, ESQ.

DAVID N. HURD
United States District Judge

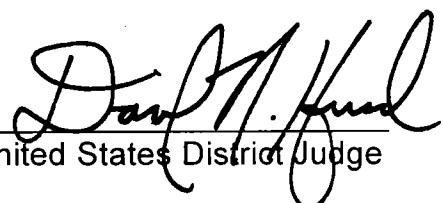
ORDER

The plaintiff having filed a timely Notice of Discontinuance in state court prior to the removal to federal court, this action is DISMISSED without prejudice. The request for entry of default is DENIED as moot.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: May 26, 2005
Utica, New York.


United States District Judge